

# ARKANSAS SUPREME COURT

No. 07-170

WILFREDO GONZALEZ-LORA  
Petitioner

v.

CIRCUIT CLERK OF ST. FRANCIS  
COUNTY and CHIEF JUDGE, CIRCUIT  
COURT OF ST. FRANCIS COUNTY  
Respondents

Opinion Delivered March 8, 2007

PRO SE MOTION FOR LEAVE TO  
PROCEED WITHOUT A CERTIFIED  
RECORD

MOTION FOR LEAVE TO PROCEED  
WITHOUT A CERTIFIED RECORD  
TREATED AS MOTION FOR RULE  
ON CLERK AND DENIED.

## PER CURIAM

Petitioner Wilfredo Gonzalez Lora, an inmate in a federal corrections institution in Memphis, Tennessee, tendered to this court a petition for a “Writ of Supervisory Control,” a pro se original action. Our clerk correctly declined to file the action without a certified record of the lower court proceedings, and petitioner filed the instant motion for leave to proceed without a certified record.<sup>1</sup> We treat the motion for leave to proceed without a certified record as a motion for rule on clerk.

The alleged basis for the writ involves petitioner’s arrest for federal drug charges in Maryland by the United States Department of Drug Enforcement (“DEA”). Petitioner claims damages against DEA agents and other officials in the amount of \$40 million dollars pursuant to an alleged “perfected” “common law, non-federal, non-commercial, non-negotiable” “lien judgment decree”

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<sup>1</sup>Petitioner additionally filed a motion for “pragmatic resolution” without a certified record, and motion for leave to proceed in forma pauperis. As we deny the motion for rule on clerk, we do not reach the merits of these motions.

obtained “by confession.”

The tendered petition for writ of supervisory control is tantamount to a petition for writ of mandamus. Petitioner contends that he cannot produce a certified record because he has not received responses from the Circuit Clerk and “Chief Judge” of St. Francis County about filing documents in the St. Francis County Circuit Court. This motion for rule on clerk illustrates why this court cannot assume jurisdiction of a petition for writ of mandamus without a certified record. Without a record, we are left to rely on petitioner's statements as a foundation for assuming jurisdiction in a matter. Rule 6-1(a) of this court provides that in cases in which the jurisdiction of this court is in fact appellate, although in form original, such as petitions for writs of prohibition, certiorari, or mandamus, the pleadings with certified exhibits from the trial court are treated as the record. *Jackson v. Tucker*, 325 Ark. 318, 927 S.W.2d 336 (1996).

Without a certified record to accompany the petition, there is no basis on which this court has authority to act. Accordingly, the motion for rule on clerk is denied.

Motion for leave to proceed without a certified record treated as motion for rule on clerk, and denied.